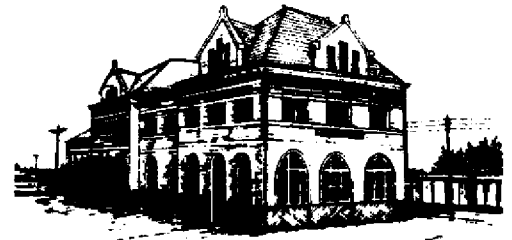


City of  
**CRESTON, IOWA**

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449

Phone 641-782-2000 • Fax 641-782-6377



*Creston's Restored Depot and City Hall*

**MAYOR:** Warren Woods  
**COUNCIL:** Larry Wynn, Randy White, Loyal Winborn, Betty Shelton, Marsha Wilson, Larry Wagner, Terri Koets  
**CITY CLERK:** Lisa Williamson  
**CITY ADMINISTRATOR:** Mike Taylor  
**CITY ATTORNEY:** Skip Kenyon

**Special Meeting Agenda**  
**City Hall/Restored Depot**  
**Council Chambers**  
**October 5, 2010**  
**6:00 p.m.**  
**Last updated: 09/30/2010 3:30 PM**

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consideration of Agenda**
5. **Consider Adoption of the Consent Agenda – NOTE:** *These items are routine items and will be enacted by one motion without separate discussion unless a Council member requests an item be removed for separate consideration.*
  - a. **Minutes:** September 21, 2010 – Regular Meeting
  - b. **Claims and Fund Transfers:**
    - i. Total Claims - \$167,988.54
    - ii. Transfers - \$108,044.26
  - c. **Licenses/Permits:**
    - i. Liquor – Fareway; Eagles
6. **Public Forum –** *The Mayor and City Council welcome comments from the public on any subject pertaining to City business, including items on this agenda. You are asked to state your name and address for the record and to limit your remarks to 3 minutes in order that others may be given the opportunity to speak. The Order of Business is at the discretion of the Chair. No action will be taken.*
7. **New Business**
  1. Motion to Establish Third Reading of Ordinance No. 11-127 – An ordinance amending provisions pertaining to municipal infractions, Section 1, Chapter 4.04 – Civil Citations
  2. Motion to Establish Second Reading of Ordinance 11-128 – An ordinance amending provisions pertaining to Zoning Code – General Regulations, by adding Section 12, Chapter 168 – Wind Turbines
  3. Appointment with Vern Hanson to update on the Hotel Iowana
  4. Resolution to approve requests from MetroPlains regarding Hotel Iowana
  5. Resolution to approve Fourth Amendment to Parking Agreement between Hotel Iowana and the City of Creston
  6. Resolution to approve Development Agreement with Habitat for Humanity for 801 West Jefferson (NSP)

7. Resolution to approve Drawdown #2 of \$129,843 from NSP Funds – Michael Helgersen, SICOG
8. Resolution to set a Public Hearing for October 19, 2010 at 6:00 pm to sell City-owned surplus properties – 308 and 310 North Division, 602 West Mills, 311 North Poplar
9. Resolution to set a Public Hearing for October 19, 2010 at 6:00 pm to sell City-owned properties in conjunction with the Neighborhood Stabilization Project – 605 West Adams, 622 North Birch, 503 West Irving
10. Resolution to set a Public Hearing for October 19, 2010 at 6:00 pm for CDBG application for Creston Municipal Utilities
11. Resolution to authorize Greenfield City Attorney, Clint Hight, to act as Creston's City Attorney to prosecute a speeding ticket
12. Resolution to approve Payment Estimate #8 of \$19,648.37 for work completed on 2009 East Side Sewer Project
13. Resolution to approve recommendation from Park & Rec Board to approve Payment Estimate #3 of \$64,086.05 to Betts & Beer Construction Co. for work completed on the McKinley Park Safe Room
14. Resolution to special assess mowing nuisance billings due to non-payment
15. Resolution to review and accept sealed bids for surplus vehicles
16. Resolution authorizing Mayor to sign a DNR Wildland Fire Grant Application
17. Resolution to approve proposal from Calhoun-Burns and Associates to conduct bridge structure inspections

**8. Other**

**9. Adjournment**

## REGULAR MEETING OF THE CRESTON CITY COUNCIL SEPTEMBER 21, 2010

The Creston City Council met in regular session at 6:00 o'clock P.M. on the above date in the Council Chambers of the City Hall Complex with Mayor Woods presiding.

Roll call being taken with the following Council members present: Wynn, White, Winborn, Shelton, Wilson and Wagner. Koets was absent.

Shelton moved seconded by Wilson to approve the agenda by deleting resolution to approve contract with Alliant Energy for the Energy Efficiency Lighting Grant and appointment with Kathy Lambert of Rural Development. All voted aye. Koets was absent. Motion declared carried.

Wilson moved seconded by Shelton to approve the consent agenda, which included approval of minutes of September 7, 2010 regular meeting; claims of \$548,740.40 and fund transfers of \$400.00. All voted aye. Koets was absent. Motion declared carried.

No one spoke during Public Forum.

Fawn Miller, owner of property located at 603 S. Walnut, spoke to Council regarding her property and a letter of nuisance abatement she received from Fire Chief Todd Jackson. She asked Council to grant her more time, as her plans are to salvage lumber, wiring, bathroom fixtures, etc. from that house to utilize in the home she currently lives in, and then tear the house down. She discovered there is a colony of endangered bees located on the side of the house and has someone lined up to move them, but this won't happen until March 2011, then the demolition of the house can begin.

Chief Jackson feels her timeline is too general. Council requested Ms. Miller give them a more specific timeline at the October 19<sup>th</sup> Council Meeting.

Library Board Member Calvin Huffman met with Council to discuss roof repairs of the current library. Although the Library did not budget for roof repairs for FY 2011, it does need to be repaired. Mike Taylor has received a bid from Commercial Roof Coating of \$8,710.00, which includes all labor, materials and a 6-year warranty.

A resolution was offered by White seconded by Shelton to accept the bid from Commercial Roof Coating of \$8,710.00 to repair the library roof and authorize the Mayor and Clerk to execute the proper documentation. Wilson, Wagner, Wynn, White, Winborn and Shelton voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to special assess mowing nuisance billings due to non-payment and authorize the Mayor and Clerk to execute the proper documentation. Wynn, White, Winborn, Shelton, Wilson and Wagner voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to approve recommendation of Airport Commission to approve the Engineering Services Agreement with Clapsaddle-Garber Associates for the Aviation Fueling System Improvements for Creston Municipal Airport and authorize the Mayor and Clerk to execute the proper documentation. White,

Winborn, Shelton, Wilson, Wagner and Wynn voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to approve recommendation of Park & Recreation Board to approve Payment Estimate #2 of \$62,607.85 to Betts & Beer Construction Co. for work completed on the McKinley Park Safe Room and authorize the Mayor and Clerk to execute the proper documentation. Winborn, Shelton, Wilson, Wagner, Wynn and White voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve Drawdown #4 from Safe Room Grant for \$56,172.55 and authorize the Mayor and Clerk to execute the proper documentation. Winborn, Shelton, Wilson, Wagner, Wynn and White voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve Payment Estimate #3 of \$351,612.06 for work completed on Cottonwood Project and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Wilson, Wagner Wynn, White and Winborn voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wagner seconded by Wilson to approve Change Order #1 for Cottonwood Street Reconstruction Project and authorize the Mayor and Clerk to execute the proper documentation. White, Winborn, Shelton, Wilson, Wagner and Wynn voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wynn seconded by White to approve application for Commercial Tax Abatement by Signs by CAC and authorize the Mayor and Clerk to execute the proper documentation. Shelton, Wilson, Wagner, Wynn, White and Winborn voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by Shelton authorizing Mayor to sign a Managed Accounts Services Agreement with ICMA-RC (City Administrator's retirement program) and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Wynn, White, Winborn, Shelton and Wilson voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by Wagner authorizing signature for IDNR permit application for a maximum yearly flow of 1.5 million gallons applicable September 20, 2010 – December 31, 2010 (temporary) and authorize the Mayor and Clerk to execute the proper documentation. Wynn, White, Winborn, Shelton, Wilson and Wagner voted aye. Koets was absent. Resolution declared passed.

A resolution was offered by Wilson seconded by Shelton authorizing signature for IDNR permit application for a maximum yearly flow of 1.25 million gallons applicable January 1, 2001 on (permanent) and authorize the Mayor and Clerk to execute the proper documentation. Wagner, Wynn, White, Winborn, Shelton and Wilson voted aye. Koets was absent. Resolution declared passed.

Wilson moved seconded by Wagner to establish Second Reading of Ordinance No. 11-127 – An ordinance amending provisions pertaining to municipal infractions, Section 1, Chapter 4.04 – Civil Citations. All voted aye. Koets was absent. Motion declared carried.

Wagner moved seconded by Shelton to establish First Reading of Ordinance No. 11-128 – An ordinance amending provisions pertaining to Zoning Code – General Regulations, by adding Section 12, Chapter 168 – Wind Turbines. White, Winborn, Shelton, Wilson and Wagner voted aye. Wynn voted nay. Koets was absent. Motion declared carried.

Wagner moved seconded by Shelton to adjourn the meeting. All voted aye. Koets was absent. Motion declared carried. Council adjourned at 6:29 P.M.

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Mayor

Attest:

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City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
POLICE PROTECTION	GENERAL FUND	CARPENTER UNIFORM CO &	RADIO HOLSTER	38.99
		CRESTON AUTO PARTS INC	IDLER PULLEY - #16	20.95
		IOWA TELECOM/WINDSTREAM	TELEPHONE	55.85
		GREATER REG MEDICAL CNTR	PHYSICAL-BAUER	1,050.00
		KELLY TIRE & EXHAUST	2 SNOW TIRES - IMPALA	173.60
			TOTAL:	1,339.39
FIRE PROTECTION	GENERAL FUND	IOWA TELECOM/WINDSTREAM	TELEPHONE	231.80
		PETTY CASH - FIRE	#1508-SUPPLIES	38.89
			#1509-NAME PLATES	12.58
			#1510-PIPE	7.71
		WAL-MART COMMUNITY	INK FOR PRINTER	31.97
			WATER-GATORADE	41.74
			TOTAL:	364.69
BUILDNG & HSNQ SAFETY	GENERAL FUND	IOWA TELECOM/WINDSTREAM	TELEPHONE	47.94
		KELLY TIRE & EXHAUST	4-TIRES 235/70/16	371.56
		PETTY CASH - MAINTENANCE	#2823-MOUNT & BALANCE	40.00
			TOTAL:	459.50
ANIMAL CONTROL	GENERAL FUND	WAL-MART COMMUNITY	PUPPY FOOD	13.34
			TOTAL:	13.34
AIRPORT	GENERAL FUND	IOWA TELECOM/WINDSTREAM	TELEPHONE	104.80
		SIRWA	WATER-AIRPORT	31.50
		WEST AVIATION INC	PER FBO CONTRACT	1,354.17
			FUEL PROFIT-AUG'10	401.64
			TOTAL:	1,892.11
LIBRARY SERVICES	GENERAL FUND	CONSOLIDATED MATERIALS COMPANY	TOILET SET-MEN'S RESTROOM	42.94
		DEMCO	TAPE-COVERS-BOOK POCKET	133.88
		IOWA TELECOM/WINDSTREAM	TELEPHONE	81.80
		UPSTART	BULLETIN BOARD	17.95
		OFFICE DEPOT	LEGAL PAPER-FAX CARTRIDGE	28.00
		OFFICE MACHINES	3-CASES PAPER TOWELS	108.97
		PROFESSIONAL COMPUTER SOLUTIONS	AVG-VIRUS CHECK	175.00
			LIBRARY 6-BLACK SCREEN	25.00
		WAL-MART COMMUNITY	CLEANING SUPPLIES	38.88
			TOTAL:	652.42
PARKS	GENERAL FUND	BARKER IMPLEMENT & MOTOR CO INC	REPLACE OIL LINE	78.28
			BEARINGS/SPINDLE SET	320.00
		CRESTON AUTO PARTS INC	20 GAL HYD FLUID	227.94
		CRESTON CITY WATER WORKS	WATER-HISTORICAL COMPLEX	7.12
			WATER-LAKE & MCKINLEY	7.12
			WATER-TAYLOR PARK	7.12
			WATER-RAINBOW PARK FOUNTAI	320.90
		FARM & HOME SUPPLY INC	1 CASE ANTIFREEZE	15.88
		IOWA TELECOM/WINDSTREAM	TELEPHONE	53.55
		STALKER CHEVROLET	HOSE-CONNECTOR-GASKET	147.71
		ALLIANT ENERGY-INT PWR&LGHT	MCKINLEY PARK VFW/FLAGS	110.29
		KELLY TIRE & EXHAUST	8-TIRES FOR PICK UPS	1,067.88
		NAPA	RADIATOR	272.98
		O'REILLY AUTOMOTIVE INC	CAR CLNING SUPPLIES	54.41
			PURPLE POWER CLEANER	15.97
		PETTY CASH - RECREATION	#1663-SOCCER SHIRT	7.25

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	2,714.40
ATION	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-BILL SEARS FOUNTAIN	7.12
			WATER-SEARS COMPLEX	7.12
			WATER-MCKINLEY BALLFIELD	7.12
		FARM & HOME SUPPLY INC	1 CASE ANTIFREEZE	15.88
		IOWA TELECOM/WINDSTREAM	TELEPHONE	47.94
		ALLIANT ENERGY-INT PWR&LGHT	600 MCKINLEY PARK SEC LIGH	12.45
		PETTY CASH - RECREATION	#1662-2011 CALENDAR	14.79
		WAL-MART COMMUNITY	WHISTLES-STOP WATCHES	63.16
			TOTAL:	175.58
CEMETERY	GENERAL FUND	CRESTON AUTO PARTS INC	PLUGS-CAP-ROTOR	108.64
		IOWA TELECOM/WINDSTREAM	TELEPHONE	55.85
		LOGAN CONTRACTORS SUPPLY INC	POWER BLANKET-GRAVES	1,625.00
		SIRWA	WATER-CEMETERY	31.50
			TOTAL:	1,820.99
SWIMMING POOL	GENERAL FUND	CRESTON CITY WATER WORKS	WATER-POOL	252.04
		FARM & HOME SUPPLY INC	1 CASE ANTIFREEZE	23.33
		IOWA TELECOM/WINDSTREAM	TELEPHONE	20.66
		WAL-MART COMMUNITY	CLEANING SUPPLIES	5.85
			TOTAL:	260.56
ECONOMIC DEVELOPMENT	GENERAL FUND	UNION CO PUBLIC FUNDING COUNCIL	1ST 1/2 EC DV CONTR. FY'11	10,000.00
			TOTAL:	10,000.00
CIAL ADMINISTRATN	GENERAL FUND	TAYLOR, MICHAEL	REIMBURSEMENT	434.86
		AHLERS & COONEY, P.C.	SEMINAR REGISTRATION-11/10	64.00
		IOWA TELECOM/WINDSTREAM	TELEPHONE	252.82
		ALLIANT ENERGY-INT PWR&LGHT	NSP-505 N ELM ST	31.48
		M&M SALES CO	COPIER READINGS-COPIES	3.14
		PETTY CASH - FINANCE	#1262-RECORDING FEES	9.00
			#1263-RECORDING FEES	28.00
			#1264-RECORDING FEES	56.00
			TOTAL:	879.30
LEGAL SERVICES	GENERAL FUND	KENYON & NIELSEN PC-ATTYS AT LAW	PROF SVCS AUG-SEPT'10	3,760.00
			TOTAL:	3,760.00
CITY HALL	GENERAL FUND	OFFICE DEPOT	BATHROOM SUPPLIES	78.90
			TOTAL:	78.90
ROAD MAINTENANCE	ROAD USE TAX	AKIN BUILDING CENTER	150 PCS BUNDLE 1/2" REROD	758.55
		ARAMARK (LAUNDRY ACCTS)	LAUNDRY SERVICE	33.22
		CRESTON CITY WATER WORKS	WATER-BARN	7.12
			WATER-SHOP	38.10
		ZEE MEDICAL INC	BOX EAR PLUGS	38.50
		IOWA TELECOM/WINDSTREAM	TELEPHONE	177.64
		BLACKTOP SERVICE COMPANY	15.99 TON ASPHALT	1,279.20
		IOWA DEPT OF TRANSPORTATION	GLOVES	174.00
		NAPA	BATTERY (BACKHOE)	179.36
			BUSHING & FITTINGS	20.35
		PETTY CASH - MAINTENANCE	#2820-SIGNS	8.02
			#2821-TIRE REPAIR	14.00
			#2822-RIBBON FOR FAX	46.98

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			#2824-FUEL FILTER	3.39
		PRAIRIE SOLID WASTE AGENCY	ALLEY CLEANUP-122 N MAPLE	56.80
		SCHILDBERG CONSTRUCTION COMPANY INC	6.20 T 3/8" CHIPS	77.81
			11.45 T 3/8" CHIPS	143.70
			TOTAL:	3,056.74
SNOW AND ICE CONTROL	ROAD USE TAX	IOWA DEPT OF TRANSPORTATION	GRADER BOLTS	83.84
			TOTAL:	83.84
ADMIN-STREETS(ENGINR)	ROAD USE TAX	IOWA TELECOM/WINDSTREAM	TELEPHONE	47.94
			TOTAL:	47.94
LIBRARY(RESTRICTED GIF RESTRICTED GIFTS-L		DES MOINES REGISTER #1150	YEAR SUBSCRIPTION	244.47
		GALE CENGAGE LEARNING	BOOKS	296.02
		INGRAM	BOOK	13.79
			ISSB BOOKS	127.99
			ISSB BOOKS	28.59
			ISSB BOOKS	16.09
			ISSB BOOKS	36.42
		LANDMARK AUDIOBOOKS	BOOKS ON CD	22.50
			BOOKS ON CD	101.70
		WAL-MART COMMUNITY	BOOK	10.50
			TOTAL:	898.07
SAFE ROOM-HSEMD	SAFE ROOM-HSEMD	BETTS & BEER CONSTRUCTION	PAY ESTIMATE #3	64,086.05
			TOTAL:	64,086.05
ARY SEWER/WASTWTR SEWER OPERATING FU		CENTRAL PLAINS ELECTRIC	MOTOR REPAIR	43.40
		CRESTON CITY WATER WORKS	WATER-WWTP	257.19
		ELLIOTT EQUIPMENT CO	3-ORINGS-GASKETS-PCKING	1,487.98
		IOWA TELECOM/WINDSTREAM	TELEPHONE	458.31
		HARRY FERRIS COMPANY	FLOW METER CALIBRATION	495.00
		HAVENS CONSTRUCTION COMPANY, INC.	PMT EST #8-EAST SIDE SWR P	19,648.37
		HEARTLAND TECHNOLOGY SOLUTIONS	REMOTE LABOR-EMAIL	28.75
		HUDSON, MATT	INSTALL BACKWATER VALVE	250.00
		OFFICE MACHINES	901 XL/PRINTER CARTRIDGE	110.98
		PETTY CASH - SANITATION	#497288-BATTERIES	4.99
			#497289-SUPPLIES	10.99
			#497290-SUPPLIES	10.19
		UPS	POSTAGE	18.39
		VEENSTRA & KIMM INC	ENG SVCS GENERAL SVCS	2,311.50
			ENG SVC PSW LEACHATE	1,500.00
			NE SWR INFILTRATION STUDY	646.50
		WELCH, AMANDA	REFUND-MANUAL SHUTOFF	250.00
		WILLETT, DARWIN	CLAIM SETTLEMENT	1,663.15
			TOTAL:	29,195.69
ANIMAL CONTROL	ANIMAL SHELTER *AG CRESTON VET CLINIC PC		OFFICE EXAM-POUND CAT	16.95
			AMOXI DROPS	7.50
			VACCINATE POUND KITTENS	39.96
			EMERGENCY MEDICAL	95.95
			EUTHANIZE KITTEN	6.50
			TOTAL:	166.86

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
===== FUND TOTALS =====				
	001	GENERAL FUND		24,411.18
	110	ROAD USE TAX		3,188.52
	167	RESTRICTED GIFTS-LIBRARY		898.07
	170	SAFE ROOM-HSEMD		64,086.05
	610	SEWER OPERATING FUND		29,195.69
	953	ANIMAL SHELTER *AGENCY FU		166.86
-----				
		GRAND TOTAL:		121,946.37
-----				

CITY OF CRESTON  
MANUAL CHECKS/DEBITS – PERIOD ENDING 10/05/10

LIBRARY DEPARTMENT			
US POST OFFICE	STAMPS		26.00
LIBRARY DEPARTMENT	TOTAL	\$ 26.00	
NO DEPT ENTERED			
ELECTRONIC FEDERAL TAX	TAX DEPOSIT		14,477.11
IA DEPT OF REVENUE	QTRLY TAX		902.00
TOTAL ADMINISTRATIVE SVC	FLEX		1,116.11
COLLECTION SERVICES			216.46
NO DEPT ENTERED	TOTAL	\$16,711.68	
SELF FUNDING INSURANCE			
AMERICAN ADMINIS – CLAIMS (2)	INV CHECK RUN		29,304.49
SELF FUNDING INSURANCE	TOTAL	\$29,304.49	
GRAND TOTALS		\$46,042.17	

## FUND TRANSFERS FOR PERIOD ENDING:

09/30/10

POSTING DATE

THE FOLLOWING TRANSFERS ARE SCHEDULED TO BE MADE AFTER COUNCIL APPROVAL:

AMOUNT	FROM	TO	-G/L ACCT-	DR	CR
\$ 27,961.08	610 SEWER OPERATING FUND	112 PAYROLL TAX BENEFIT	610 6150	27,961.08	
			610 1110		27,961.08
			112 1110	27,961.08	
			112 6150		27,961.08
	FOR: HEALTH INS PREM-QTR END 09/30/10 VENDOR: CITY OF CRESTON				
\$ 31,955.52	110 ROAD USE TAX	112 PAYROLL TAX BENEFIT	110 6150	31,955.52	
			110 1110		31,955.52
			112 1110	31,955.52	
			112 6150		31,955.52
	FOR: HEALTH INS PREM-QTR END 09/30/10 VENDOR: CITY OF CRESTON				
\$ 42,072.01	610 SEWER OPERATING FUND	001 GENERAL FUND	610 6910	42,072.01	
			610 1110		42,072.01
			001 1110	42,072.01	
			001 4830		42,072.01
	FOR: 100% TAYLOR/WILLIAMSON/COEN/ WAGES-QTR END 09/30/10 VENDOR: CITY OF CRESTON				
\$ 6,055.65	610 SEWER OPERATING FUND	112 PAYROLL TAX BENEFIT	610 6910	6,055.65	
			610 1110		6,055.65
			112 1110	6,055.65	
			112 4830		6,055.65
	FOR: 100% TAYLOR/WILLIAMSON/COEN/ FICA/MED/IPERS-QTR END 09/30/10 VENDOR: CITY OF CRESTON				
\$ 108,044.26	TOTAL - TRANSFERS		HASH TOTALS: \$ 216,088.52 \$ 216,088.52		

**FOURTH AMENDMENT TO THE PARKING AGREEMENT  
BY AND BETWEEN  
HOTEL IOWANA LIMITED PARTNERSHIP  
AND  
THE CITY OF CRESTON, IOWA**

THIS FOURTH AMENDMENT TO THE PARKING AGREEMENT BY AND BETWEEN HOTEL IOWANA LIMITED PARTNERSHIP AND THE CITY OF CRESTON, IOWA (the "Third Amendment") is made and entered into effective as of \_\_\_\_\_, 2010 by and between the undersigned parties.

**RECITALS**

WHEREAS, Hotel Iowana Limited Partnership ("Hotel Iowana LP") and the City of Creston, Iowa (the "City") entered into a Parking Agreement (the "Parking Agreement") on October 28, 2008 for twenty-four (24) parking spaces in the parking lot at the corner of the intersection of Montgomery Street and Pine Street in Creston, Iowa (together, the "Parking Spaces" and the "Parking Lot"), as described in Exhibit A attached hereto; and

WHEREAS, Hotel Iowana LP and the City previously amended the Parking Agreement on February 2, 2010 to allow a longer timeframe under Paragraph 8 of the Parking Agreement; and

WHEREAS, Hotel Iowana LP and the City previously amended the Parking Agreement on May 19, 2010 to extend the term of the agreement to 50 years; and

WHEREAS, Hotel Iowana LP and the City previously amended the Parking Agreement on August 9, 2010 to allow a longer timeframe under Paragraph 8 of the Parking Agreement to December 31, 2011; and

WHEREAS, Hotel Iowana LP and the City desire to further modify the Parking Agreement to allow a longer timeframe under Paragraph 8 of the Parking Agreement.

NOW THEREFORE, in consideration of the foregoing, of the mutual promises of the parties hereto, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Replace December 31, 2011 with "June 30, 2011, provided that construction is at least 50% complete as of December 31, 2011" in Paragraph 8 of the Parking Agreement.
2. All other terms and conditions in the Parking Agreement shall remain in full force and effect, pending future amendments to the Parking Agreement, if any.

IN WITNESS WHEREOF, this Second Amendment has been executed as of \_\_\_\_\_, 2010.

Hotel Iowana Limited Partnership,  
an Iowa limited partnership  
MetroPlains Partners, LLC  
Its General Partner

City of Creston,  
an Iowa municipal corporation

BY: \_\_\_\_\_  
Its: Mayor

BY: \_\_\_\_\_  
Its: Co-President

BY: \_\_\_\_\_  
Its: City Clerk

**EXHIBIT A**

**Real Property  
Legal Description**

Lot 327 through Lot 329, inclusive, all in the Original Town of Creston, Union County, Iowa.

**DEVELOPMENT AGREEMENT  
NEIGHBORHOOD STABILIZATION PROGRAM  
801 W JEFFERSON  
HABITAT FOR HUMANITY OF UNION COUNTY**

THIS AGREEMENT is effective July 1, 2010, by and between the CITY OF CRESTON, hereinafter referred to as the "City," and HABITAT FOR HUMANITY OF UNION COUNTY, hereinafter referred to as the "Assisted Entity."

IT IS AGREED by and between the parties as follows:

**I. PERIOD OF PERFORMANCE**

The activities described in this Agreement are to begin no earlier than the effective date of this contract, and shall continue no later than July 31, 2013. All eligible activities and related eligible costs are limited to the above time period, with the exception of eligible pre-development costs specifically approved for reimbursement by the City. Notwithstanding the above, this Agreement and the obligations attendant thereto, shall remain in full force and effect with respect to the Assisted Entity until such time the Property has been conveyed to a qualified homebuyer under the terms and conditions of this Agreement.

**II. GENERAL ACTIVITIES AND DEFINITIONS**

- A. Project Summary. The City of Creston acquired the foreclosed property located at 801 W Jefferson, Creston, Iowa 50801 ("Property") on January 19<sup>th</sup>, 2010. The Property is more specifically described in the Assessor's Card provided as an attachment to this Agreement. The City of Creston shall demolish the current structure on the Property using other NSP funds. Following demolition, the City shall sell the Property to the assisted entity for a price equal to one (1) dollar, and the Assisted Entity shall construct a single-family house on the Property. Upon completion of construction in accordance with the terms and conditions of this Agreement, the Property shall be sold to an income-eligible household. In general, the City and Assisted Entity shall be responsible for the following activities noted in the lists below.

The City agrees to:

1. Fulfill the environmental review requirements of Section 106 of the National Historic Preservation Act of 1966;
2. Demolish the existing structure located at the Property;
3. Perform an TV inspection of the existing sewer line at the Property to ensure it is suitable for the proposed new construction;
4. Request and secure a variance for the Property to expand the buildable area of the lot;
5. Procure appraisal and energy rating services;
6. Sell the Property to the Assisted Entity for one (1) dollar;
7. Pay invoices received from the Assisted Entity and process draw downs from the Iowa Department of Economic Development.

The Assisted Entity agrees to:

1. Provide the City with a Development Schedule and detailed cost estimate for the construction of the new house;
2. Identify a qualified, low-to-moderate income resident or family to purchase the home;
3. Purchase the Property from the City for one (1) dollar;
4. Obtain and review bids for all work related to the construction of the home;
5. Construct a single-family home meeting the Iowa Green Streets Criteria;

6. Provide invoices to the City detailing hard costs of construction in order to be reimbursed;
  - B. Definitions. The following definitions shall apply to this Agreement:
    1. "Project" shall include all activities related to construction, sale and occupancy of the Property.
    2. "Buyer" shall refer to the household purchasing the Property.
    3. "Appraisal" shall refer to a real property appraisal conducted by an independent licensed appraiser to determine the market value of the Property.
    4. "Total Development Cost" includes, but is not limited to, all costs for site acquisition, demolition, construction, interest, closing costs and carrying charges. The total development cost does not include the developer fee.
    5. "Commitment" is the dedication of funds provided to the City by the U.S. Department of Housing and Urban Development (HUD) or non-HUD funds to an activity or project by the Assisted Entity or any other participant in the development process, including public, private nonprofit, or for-profit entities, or any of their contractors, prior to the completion of an environmental review conducted in accordance with the provisions of 24 CFR Part 58. A commitment would include, but not be limited to, the execution of a purchase agreement, demolition contract or construction contract.
  - C. Commitment of Agreement Funds. Prior to completion of the environmental review by the City, the Assisted Entity or any other participant in the development process, shall not make any commitment or undertake an activity using either HUD funds or non-HUD funds if it would have an adverse environmental impact or limit the choice of reasonable project alternatives. Choice-limiting actions include, but are not limited to, site-specific activities such as demolition, construction and related site improvements.
  - D. Eligible Costs. All project-related costs charged against this Agreement shall be eligible acquisition costs, development hard costs, or related soft costs under Community Development Block Grant Program regulations, Neighborhood Stabilization Program rules and the terms and conditions of this Agreement. The City reserves the right to make the final determination as to the eligibility and allowability of any cost to be charged against this Agreement.
  - E. Forms of Assistance. Assistance shall be provided in multiple forms as described below:
    1. The City shall reimburse the Assisted Entity for eligible costs related to the acquisition, construction and resale of the Property up to the total development subsidy detailed in Section II.E.3. Upon receipt of invoiced costs from the Assisted Entity, the City shall pay all eligible costs within 30 days.
    2. The City shall complete and approve all draw requests submitted to the Iowa Department of Economic Development in accordance with the NSP Program and Contract No. 08-NSP-005.
    3. The reimbursement of costs detailed in Section II.E.1 for the Property shall not exceed the total development subsidy of Fifty Thousand Dollars (\$50,000).
  - F. Development Schedule. Prior to September 30, 2010, the Assisted Entity shall submit a development schedule for the Property, in a form acceptable to the City. The development schedule shall provide a projected timeline for the completion of pre-development activities and the major activities involved in the construction and sale of the Property, including an estimate of total project cost. The development schedule shall be in sufficient detail to allow the City to monitor the progress of the Assisted Entity in completing its obligations under this Agreement.
- III. ACQUISITION, PRE-DEVELOPMENT AND CONSTRUCTION REQUIREMENTS
- A. Acquisition. The acquisition of the Property shall be done in accordance with all applicable City and Neighborhood Stabilization Program requirements. These include, but are not limited to: appraisal requirements, Uniform Relocation Act requirements and purchase discount requirements. Additional provisions are detailed below:
    1. The City shall, following the demolition of the current structure, sell by way of absolute sale the Property to the Assisted Entity.
    2. The sale price of the Property shall equal one (1) dollar.
    3. The transferred deed must be recorded with the Union County Recorder, and a copy of this recorded warrantee deed must be provided to the City.

- B. Compliance with Applicable Codes. The Assisted Entity shall comply with all applicable codes; including City codes regarding securing of structures and maintenance of yards, during the period of time it owns the Property. The Property shall be subject to inspection or examination by the City, or its authorized representative(s), at any reasonable time.
- C. Property Standards. The Property shall comply with the following standards at the time of initial occupancy:
  - 1. All applicable local codes (including the Building Code, if applicable), and ordinances;
  - 2. Requirements of the State Building Code Act and Iowa Code Chapter 103A, as amended;
  - 3. Minimum requirements of the Iowa Green Streets Criteria.
- D. Oversight of Construction. The Assisted Entity shall be responsible for ensuring that all construction work is carried out in accordance with all applicable laws, codes, rules, regulations, standards and ordinances. The Assisted Entity shall act as the general contractor for this project.
- E. Inclusion of Small Businesses. It is anticipated that the Assisted Entity will seek bids from and utilize where possible small businesses, including but not limited to, minority business enterprises (MBE) and women business enterprises (WBE).
- F. Bidding of Construction Work. After review and approval of the Development Schedule by the City, the Assisted Entity shall obtain bids for the labor and materials related to the construction of the Property. Bid requests shall be in a form acceptable to the City. The bid requests shall specify a required date for submission of bids. A list of subcontractors to which bid requests were sent and a tabulation of bids received shall be provided to the City immediately after bid opening.
- G. Assisted Entity Review of Bids. The Assisted Entity shall be responsible for reviewing all bids received for responsiveness to bid requirements, reasonableness of cost and other factors specified in the bid request. The Assisted Entity shall select contractors whose bid is responsive to the bid request and is most advantageous to the Assisted Entity, price, quality and other factors considered. The Assisted Entity shall maintain records related to the bidding process for the Property, including City approved plans and specifications, bid requests, bids received, bid tabulations and the basis for contractor selection.
- H. Submission of Information on Selected Contractors. After the Assisted Entity has reviewed bids and selected contractors for construction work on the Property, the Assisted Entity shall submit a statement of total construction cost, in form and substance acceptable to the City, that includes the names of the subcontractors selected through the bidding and bid review process and a schedule of subcontractor costs reflecting the bids from the selected subcontractors, costs for materials to be purchased by the Assisted Entity and any other costs. The Assisted Entity shall enter into a written construction contract with each selected subcontractor.
- I. Final Development Budget. After the selection of subcontractors, as applicable, the Assisted Entity shall submit a final development budget for the Property to the City. The development budget shall be in a form and substance acceptable to the City, and provide detailed information on acquisition costs, hard construction costs, carrying costs, and other soft costs related to the construction and sale of the Property. The development budget shall also include information on the sources and terms of the financing to be used for the development of the Property.
- J. Environmental Requirements. The City shall complete the environmental review of the Property and will provide the Assisted Entity with any information available as a result of that review. The Assisted Entity shall comply with all environmental related requirements that the City and State of Iowa determine necessary to comply with the provisions of 24 CFR Part 58.
- K. Commencement of Work. The Assisted Entity shall not commence excavation, construction or any other work that results in a physical change to the Property until the property has been deeded from the City to the Assisted Entity. The Assisted Entity shall comply the items listed below before the final sale of the property to the Assisted Entity. The City reserves the right to grant written approval to commence work that is limited in scope and nature prior to these requirements being met, and/or require that additional requirements other than those specified below be met prior to granting approval to commence work:
  - 1. The City has completed an environmental review and has received clearance to proceed with

- the Property;
  - 2. The City has received any variances to the setbacks or any other requirements of the zoning code, if necessary;
  - 3. The Assisted Entity has provided a Development Schedule for the Property;
  - 4. All environmental related requirements have been complied with;
  - 5. If required by the Building Code, the Assisted Entity has obtained a Building Permit and has obtained all other necessary approvals, permits, and licenses;
  - 6. All applicable insurance and bonding requirements have been complied with.
  - L. Lien Waivers. The Assisted Entity shall obtain lien waivers from all parties providing labor, materials or equipment for the construction of the Property. The lien waivers shall be maintained by the Assisted Entity in accordance with the General Terms and Conditions and shall be made available to the City upon request. The Assisted Entity shall immediately notify the City in writing if a Claim of Lien is filed by any party that has provided labor, materials or equipment for the construction of the Property. The notification shall include the name of the party filing the claim, the amount of the claim, a description of the circumstances surrounding the filing of the claim and actions taken and/or planned by the Assisted Entity to resolve the situation.
  - M. Completion of Construction. The Assisted Entity shall commence work no later than sixty (60) days after acquisition of the Property or the beginning of the Period of Performance of this Agreement, whichever is later, and complete the construction of the Property within twelve (12) months after the approval to commence work, unless otherwise agreed to in writing by the City.
- IV. OCCUPANCY AND BUYER ELIGIBILITY REQUIREMENTS
- A. Occupancy of Property. The Property shall not be occupied without the prior, written approval of the City. Prior to granting approval to occupy the Property, the minimum requirements listed below shall be met. The City Community Development Department reserves the right to require that additional requirements be met prior to granting approval to occupy the Property.
    - 1. If applicable, a Use and Occupancy Permit for the Property has been issued by the City Building Inspection Division.
    - 2. The Property has been inspected and found to be in compliance with the City Housing Code.
    - 3. The Property is in compliance with the minimum standards of Green Streets Criteria.
  - B. Income Eligibility. At the time of sale of the Property, the Buyer shall have an annual gross income, as defined in 24 CFR Part 5, which does not exceed 50% of the area median income, adjusted for family size. These income limits are subject to periodic revision by HUD.
  - C. Principal Residence and Recapture Provisions. The Buyer shall intend to use the Property as his or her principal residence during the duration of the mortgage between the Assisted Entity and the Buyer described in Section V.C.2.
    - 1. The Assisted Entity shall be responsible for informing the Buyer of the principal residence and continued affordability requirements that are a condition of purchasing the Property.
    - 2. The City shall provide the Assisted Entity with the applicable principal residence and continued affordability requirements. The Assisted Entity shall be responsible for the enforcement of the principal residence and continued affordability requirements through a mortgage and promissory note incorporating the requirements that shall be executed by the Buyer to the City at the time of closing on the purchase of the Property.
- V. SALE AND CONVEYANCE OF THE PROPERTY
- A. Appraisal at Completion of Construction. The Assisted Entity shall obtain an Appraisal of the Property at completion of construction. The Assisted Entity shall provide a copy of the Appraisal, including any updates or revisions, to the City upon receipt.
  - B. Sale Price. The maximum sale price shall be established at either 1) the market value of the Property as determined by the Appraisal performed at completion of the construction of the Property; or, 2) at the total development cost of the Property, whichever is lower. In no case shall the sales price of the Property exceed the maximum sale price established in the previous clause.
  - C. Closing on Sale of the Property. The Assisted Entity shall provide the City with a minimum ten (10) days advance, written notice of the closing on the sale of the Property. The following shall occur at

the closing on the sale of the Property:

1. The Assisted Entity shall convey ownership of the Property to the Buyer via a Warranty Deed.
2. The Buyer shall execute a mortgage and promissory note to the Assisted Entity that includes principal residence and continued affordability requirements.

#### VI. REPORTING REQUIREMENTS

- A. Status Reports. Upon request, the Assisted Entity shall provide written reports to the City, in a format acceptable to the City, on the status of the acquisition, pre-development, construction, marketing and sale of the Property. Such reports shall be submitted to the City within three (5) business days after the City requests the report.
- B. Statement of Total Development Cost. Prior to the closing on the sale of the Property to a Buyer, the Assisted Entity shall provide the City with a detailed statement of the total development cost for the Property, in form and substance acceptable to the City, and a listing of all sources and amounts of financing used in the construction of the Property and the terms and conditions of such financing. The total development cost includes, but is not limited to, all costs for site acquisition, relocation, demolition, construction, interest, closing costs and carrying charges. The City reserves the right to request documentation of any cost shown in the statement and to make the final determination on the eligibility or allowability of any cost contained in the statement of total development cost.
- C. Other Reports. The City reserves the right to revise and/or add supplemental reporting requirements without amending this Agreement.

#### VII. BUDGET AND METHOD OF PAYMENT

- A. Amount of Agreement. For performance of eligible activities under this Agreement, the Assisted Entity shall be reimbursed by the City for all actual, allowable costs under the terms of this Agreement in an amount not to exceed fifty thousand dollars (\$50,000). This amount may be increased, at the sole discretion of the City, with the written approval of the Mayor or his designee, if necessitated by documented unexpected or unanticipated costs or circumstances. The Assisted Entity shall be responsible for all cost overruns beyond the total property investment amount and total development subsidy amount approved by the City.
- B. Method of Payment. The City shall provide payment to the Assisted Entity for actual, allowable costs under the terms of this Agreement, upon submission of required documentation to the City, and after approval of such documentation by the City. To request payment, the Assisted Entity shall submit a payment request, in form and substance acceptable to the City, in accordance with prescribed City procedures. The disbursement of Agreement funds may not be requested until such time Agreement funds are needed for the payment of eligible costs. The amount of each request shall be limited to the amount needed, as determined by the City.

#### VIII. MISCELLANEOUS PROVISIONS

- A. Additional Contractual Agreements. Prior to entering into any additional contractual agreements with the Assisted Entity, the City shall review the status of completion of activities assisted through this Agreement and any other contractual agreements between the City and the Assisted Entity. Based on this review, the City may, at its sole discretion, decline to enter into any additional contractual agreements with the Assisted Entity until the City determines activities assisted through this Agreement or other contractual agreements with the Assisted Entity are substantially completed.
- B. Photographic Record. The Assisted Entity shall maintain a photo inventory of the construction of the Property, including before, during and after photographs.
- C. Notice of Problems, Delays, Adverse Conditions. The Assisted Entity shall inform the City as soon as any problems, delays, or adverse conditions that materially affect the ability of the Assisted Entity to complete any herein described activity, or prevent the meeting of time schedules becomes known. A statement of the action taken, or contemplated, by the Assisted Entity to resolve the situation shall accompany this disclosure.
- D. Failure to Complete Construction and/or Sale. In the event the Assisted Entity fails to complete construction and/or sale of the Property in accordance with the terms and conditions of this Agreement, either voluntarily or otherwise, the Assisted Entity shall repay to the City any and all funds provided through this Agreement for the Property.

- E. Severability. If any provision or provisions set forth in this Agreement is in conflict with any Iowa law or is otherwise unenforceable, that provision is void to the extent of the conflict or unenforceability and is severable from and does not invalidate any other provision of this Agreement.
- F. Headings. The headings in this Agreement are for convenience of reference only and shall not affect the meaning of this Agreement.

IX. LIST OF AGREEMENT ATTACHMENTS

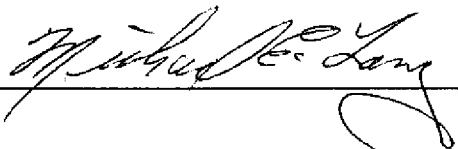
This Agreement is subject to and incorporates the following:

- Attachment A – Federal Contract Requirements
- NSP Income Limits
- Iowa Green Streets Criteria

**IN WITNESS WHEREOF**, the parties hereto have executed this Grant Agreement on the last day and year set forth below.

**SUBRECIPIENT:**

HABITAT FOR HUMANITY OF UNION COUNTY

By: 

Name: Michael Lang

Title: President

Date: October 5, 2010

**GRANTEE:**

CITY OF CRESTON, IOWA

By: \_\_\_\_\_

Name: Warren Woods

Title: Mayor

Date: October 5, 2010

ATTEST: \_\_\_\_\_

Name /Title: Mike Taylor, City Administrator

**Habitat for Humanity of Union County  
Development Schedule and cost estimate for  
801 West Jefferson, Creston, Iowa**

<u>Date</u>	<u>Activity</u>	<u>Est Cost</u>
31-Oct-10	Select family	
31-Dec-10	Finalize house plan	
28-Feb-11	Let bids for Foundation Sewer Utilities site work	
30-Jun-11	complete foundation, sewer, utilities, site work	15,000.00
30-Jul-11	complete deck	3,000.00
30-Sep-11	complete exterior walls and roof	6,000.00
30-Oct-11	complete windows, exteriors doors and siding	6,000.00
	complete sidewalks, exterior masonry	3,000.00
	frame interior walls	2,500.00
30-Nov-11	rough-in electrical, plumbing	4,500.00
30-Jan-12	complete insulation and dry-wall	2,500.00
30-Mar-12	complete electrical, plumbing	4,000.00
30-May-12	complete painting	1,000.00
30-Jul-12	complete mill-work, flooring, etc	5,000.00
30-Aug-12	Close on house, deliver title to owner	
	Contingency, utilities, etc.	<u>7,500.00</u>
		<b>\$ 60,000.00</b>
	Source of funding:	
	Development agreement	50,000.00
	Fund raising	<u>10,000.00</u>
		<b>\$ 60,000.00</b>

**NEIGHBORHOOD STABILIZATION PROGRAM  
COMMUNITY DEVELOPMENT BLOCK GRANT  
REQUEST FOR PAYMENT**

Recipient: City of Creston  
Contract Number: 08-NSP-005  
Report Number: 2  
Period Ending: 09/30/2010

ACTIVITY CODE/TITLE	Federal NSP Budget	CURRENT EXPENDITURES			TOTAL
		Expended Since Last Report	Less Program Income Applied	Federal NSP Reimbursable	Federal NSP Requested to Date
#601 Acquisition	\$ 42,000	\$ 40,998	\$ -	\$ 40,998	\$ 40,998
#602 Acquisition	\$ 59,030	\$ 38,691	\$ -	\$ 38,691	\$ 57,031
#675 Demolition	\$ 53,720	\$ 49,918	\$ -	\$ 49,918	\$ 49,918
#676 Demolition	\$ 15,250	\$ 236		\$ 236	\$ 236
#696 Rehabilitation	\$ 33,150				
#697 Rehabilitation	\$ 24,105				
#699 Financing	\$ 53,500				
#655 Counseling	\$ 665				
#656 Counseling	\$ 1,335				
181 GENERAL ADMIN	\$ 18,045				
TOTALS	\$ 300,800				

Less: IDED Funds Received	\$ 18,340
Less: IDED Payments Pending	
<b>NET REQUEST</b>	<b>\$ 129,843</b>

ACTIVITY CODE	Expended Since Last Report	Expended to Date
#601	\$1,570	\$1,570
#602	\$325	\$664
#675	\$14,218	\$14,218
#676	\$236	\$236
#696		
#697		
#699		
<b>TOTAL</b>	<b>\$16,349</b>	<b>\$16,688</b>

List of Addresses for which funds are being requested:			
Activity Number	Address	Activity Number	Address
#601	505 N Elm		
#602	407 S Vine		
#675	503 W Irving		
#675	605 W Adams		
#675	622 N Birch		
#676	801 W Jefferson		

# STATE OF IOWA

# GAX

<b>BUDGET FY</b>  <b>FY2011</b>		<b>General Accounting Expenditure</b>						<b>DOCUMENT NUMBER</b>  <b>2</b>				
		<small>DATE</small> <b>10/05/2010</b>		<small>ACCTG PERIOD (mm/yy)</small> <b>09/2010</b>								
<small>VENDOR CODE</small>				<small>AGENCY NAME</small>								
<small>VENDOR NAME AND ADDRESS</small> City of Creston 116 W Adams Street Creston, IA 50801				<small>BILL TO ADDRESS (ORDERING AGENCY)</small> Iowa Department of Economic Development 200 E. Grand Ave. Des Moines, Iowa 50309				<small>SHIP TO ADDRESS</small>				
<small>TERMS</small>		<small>FOB</small>		<small>ORDER APPROVED BY</small>				<small>GOODS RECEIVED/SERVICES PERFORMED</small>				
								<small>DATE</small> <small>INITIALS</small>				
				<small>VENDOR'S INVOICE NUMBER</small>  <b>Report Number: 2</b>								
			<b>Request for Payment - Federal NSP</b> <b>Contract Number: <u>08-NSP-005</u></b>						<b>129,8</b>			
<b>DOCUMENT TOTAL</b>								<b>129,8</b>				
<b>CLAIMANT'S CERTIFICATION</b>						<b>AGENCY CERTIFICATION</b>						
I CERTIFY THAT THE ITEMS FOR WHICH PAYMENT IS CLAIMED WERE FURNISHED FOR STATE BUSINESS UNDER THE AUTHORITY OF THE LAW AND THAT THE CHARGES ARE REASONABLE, PROPER, AND CORRECT, AND NO PART OF THIS CLAIM HAS BEEN PAID.						I CERTIFY THAT THE ABOVE EXPENSE WERE INCURRED AND THE AMOUNTS ARE CORRECT AND SHOULD BE PAID FROM THE FUNDS APPROPRIATED BY:						
<b>DATE</b>		<b>10/05/2010</b>		<b>TITLE</b>		<b>Mayor</b>		<b>CODE OR CHAPTER SECTION(S)</b>				
<small>CLAIMANT'S SIGNATURE</small>						<small>AUTHORIZED SIGNATURE</small>						
<small>DOC TYPE (GAX)</small> <b>GAX</b>	<small>DOC NUMBER</small>		<small>DOC DATE</small>		<small>ACCTG PRD</small>	<small>BUDGET FY</small>	<small>ACTION NEW/MOD</small>	<small>PO SHIP INSTR</small>	<small>GAX TYPE</small>	<small>INT IND</small>	<small>INT SELLER FUND</small>	<small>INT SELLER AGCY</small>
<small>VENDOR CODE</small>		<small>ADDR OVERRIDE</small>	<small>F/A INDICATOR</small>	<small>EFT IND</small>	<small>TEXT -po's only (Y/N)</small>		<small>TEXT (po's only)</small>					
				<b>Y</b>								
<small>REF DOC TYPE</small>	<small>REF DOC NUMBER</small>		<small>REF DOC LINE</small>		<small>COM LN</small>	<small>VEND INVOICE #</small>		<small>COMMODITY CODE</small>		<small>GS CONTRACT</small>		
<b>01</b>	<b>0340</b>	<b>269</b>	<b>4520</b>			<b>4125</b>						
02												
03												
04												
05												
06												

**DOCUMENT TOTAL**

**GAX**

WARRANT #

AUDITED BY

PAID DATE

**City of Creston  
NSP Draw Request #2**

**505 N Elm**

Appraisal	\$	325.00
Acquisition	\$	39,428.00
Legal Fees	\$	220.00
Utilities	\$	17.90
Appraisals (for other unsuccessful acquisitions)	\$	1,007.50

**TOTAL \$ 40,998.40**

**407 S Vine**

Appraisal	\$	325.00
Earnest \$	\$	500.00
Acquisition	\$	37,866.92

**TOTAL \$ 38,691.92**

**801 W Jefferson**

Asbestos	\$	225.00
Utilities	\$	11.00

**TOTAL \$ 236.00**

**Demolitions**

Asbestos	\$	13,335.00
Asbestos	\$	250.00
Publishing	\$	83.97
Demo	\$	12,000.00

**DEMOLITION**

**TOTAL \$ 49,918.97**

**622 N Birch**

\$	300.00	\$
\$	14,700.00	\$

**503 W Irving**

\$	250.00
\$	9,000.00

**TOTAL REQUEST**

**\$129,843**

## **NOTICE AND CALL OF PUBLIC MEETING**

Governmental Body:      Creston City Council  
Date of Meeting:          October 19, 2010  
Time of Meeting:          6:00 o'clock PM  
Place of Meeting:          City Council Chambers  
                                 116 W Adams Street  
                                 Creston, IA 50801

PUBLIC NOTICE IS HEREBY GIVEN That the above mentioned governmental body is meeting at the time and place listed above for the following purpose.

The meeting is for the purpose of accepting public comment on the sale of the following City-owned surplus properties described as follows:

- 308 N. Division Street –East Seventy-six (76) feet of Lot Numbered Six (6) in West Creston, Section "A", Creston, Union County, Iowa
- 310 N. Division Street – Lot Numbered Five (5) in West Creston, Section "A", Creston, Union County, Iowa
- 602 W. Mills Street – Lot Numbered Eighty-seven (87) in Section "A", West Creston, Union County, Iowa, EXCEPT the following tract:  
Beginning at the alley in the Southeast corner of Lot Numbered Eighty-seven (87) thence running North Forty (N40) feet, thence West Thirty (W30) feet, thence South Forty (S40) feet, thence East Thirty (E30) feet along the alley to the place of beginning
- 311 N. Poplar Street – Lot Numbered Fifty-seven (57) in McDonald's North Addition, Section A, Creston, Union County, Iowa

\_\_\_\_ Public Hearing on the issuance.

\_\_\_\_ Resolution instituting proceedings to take additional action.

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code Of Iowa, and local rules of said governmental body.

Lisa Williamson  
Clerk, City of Creston

## **NOTICE AND CALL OF PUBLIC MEETING**

Governmental Body:      Creston City Council  
Date of Meeting:          October 19, 2010  
Time of Meeting:          6:00 o'clock PM  
Place of Meeting:          City Council Chambers  
                                 116 W Adams Street  
                                 Creston, IA 50801

PUBLIC NOTICE IS HEREBY GIVEN That the above mentioned governmental body is meeting at the time and place listed above for the following purpose.

The meeting is for the purpose of accepting public comment on the sale of the following City-owned properties in conjunction with the Neighborhood Stabilization Project described as follows:

- 605 W. Adams Street – Lot Numbered One Hundred Forty-four (144) in West Creston, Section "A", Creston, Union County, Iowa
- 622 N. Birch Street – Lot Numbered Thirty (30) in Swigert's Second Addition to Creston, Union County, Iowa
- 503 W. Irving Street – Lots Numbered Seventeen (17) and Eighteen (18) in Block Four (4) in Levy's Addition to Creston, Union County, Iowa

\_\_\_\_ Public Hearing on the issuance.

\_\_\_\_ Resolution instituting proceedings to take additional action.

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code Of Iowa, and local rules of said governmental body.

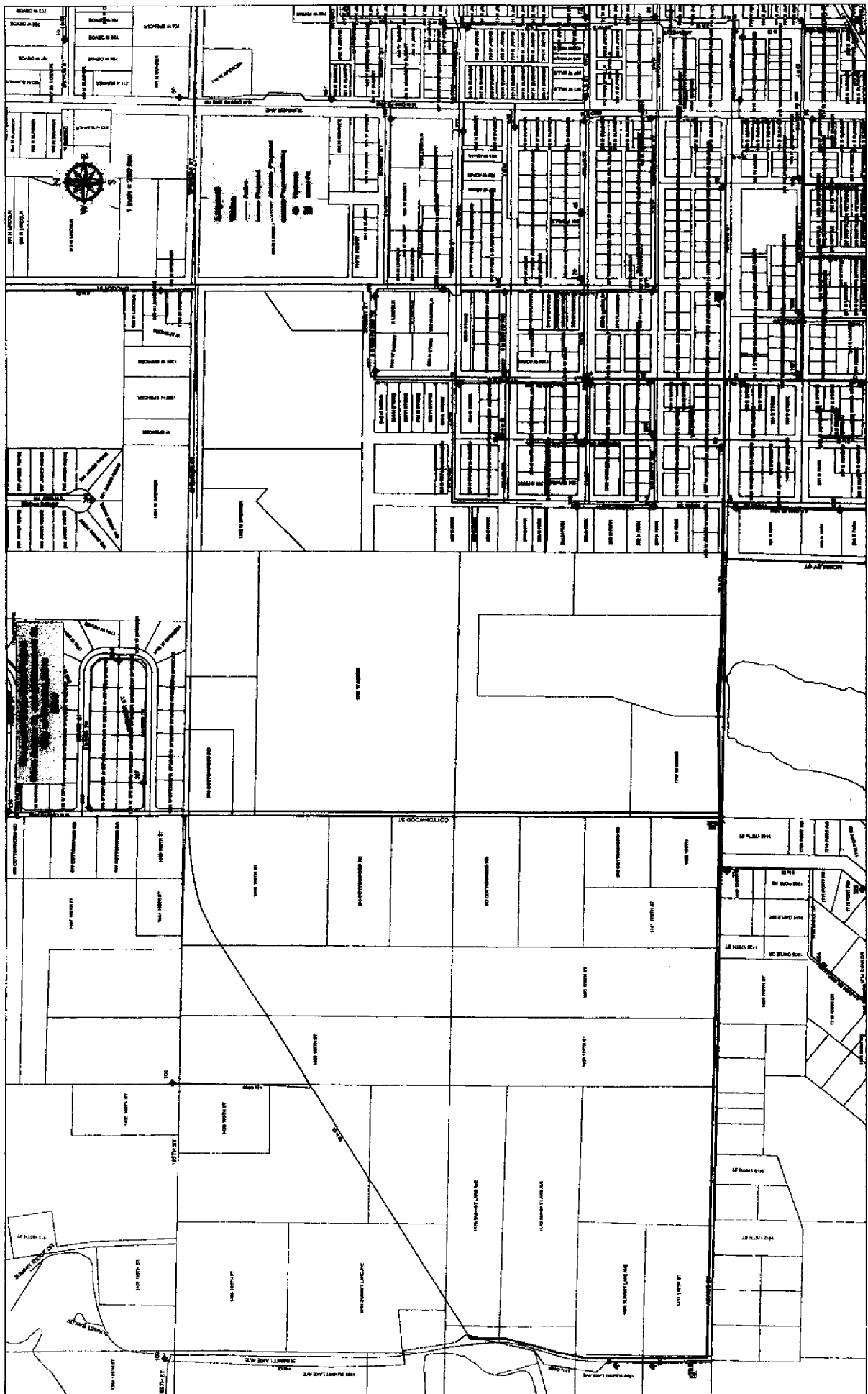
Lisa Williamson  
Clerk, City of Creston

## **PUBLIC NOTICE**

The City of Creston, Iowa will hold a Public Hearing for the purpose to furnish citizens information concerning the amount of grants funds available for proposed community development activities. The range of activities that will be undertaken, including the amount of funds proposed to be used for activities that will benefit persons of low and moderate income and the plans to minimize displacement of persons as a result of activities assisted and to assist persons actually displaced. This public hearing will discuss the city's application to the State of Iowa for Community Development Block Grant. These grants will be used to primarily benefit low and moderate-income persons, and improve the general living conditions of those affected by the project. The application is for funds to construct a water main and improve fire protection in the community west on Adams Street and north on Cottonwood Road.

**The public hearing will be October 19, 2010 at 6:00 P.M. in the City Council Chambers at 116 W. Adams, Creston, Iowa.**

Please plan to attend. Questions regarding this IDED/CDBG grant can be directed to Mr. Michael Helgersen at 641.782.8491.



### **RESOLUTION NO. ?? – 11**

#### **RESOLUTION TO AUTHORIZE GREENFIELD CITY ATTORNEY, CLINT HIGHT, TO ACT AS CRESTON CITY ATTORNEY TO PROSECUTE A SPEEDING TICKET:**

**WHEREAS**, Creston City Attorney, Skip Kenyon, received notification that a client of his private firm was issued a speeding ticket by the Creston City Police, and;

**WHEREAS**, Mr. Kenyon is requesting Council's authorization of Mr. Hight's acting as Creston's City Attorney to avoid conflict of interest, and;

**WHEREAS**, Mr. Kenyon's firm will not be representing the individual in this matter, and;

**WHEREAS**, Creston City Council agrees it is in the best interest of all to approve Mr. Kenyon's request.

**BE AND IT IS HEREBY RESOLVED** that the Creston City Council does authorize Greenfield City Attorney, Clint Hight, to act as Creston City Attorney to prosecute a speeding ticket of an individual that is also a client of Mr. Kenyon's firm.

**BE AND IT IS FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to execute the proper documentation necessary.

**BE AND IT IS FURTHER RESOLVED** that any Resolution in conflict herewith is hereby repealed.

**BE AND IT IS FURTHER RESOLVED** that this Resolution be effective immediately upon its passage and approval by the Creston City Council.



# VEENSTRA & KIMM, INC.

3000 Westown Parkway • West Des Moines, Iowa 50266-1320  
515-225-8000 • 515-225-7848(FAX) • 800-241-8000(WATS)

## PAY ESTIMATE NO. 8

Date: **September 28, 2010**

Project Title	2009 CDBG East Side Sanitary Sewer Replacement City of Creston, Iowa		Contractor	Havens Construction Company, Inc. 9400 Liberty Drive Liberty, Missouri 64068
Orig. Contract Amount & Date	\$1,225,183.00	July 7, 2009	Pay Period	August 7, 2010 through September 24, 2010

### BID ITEMS

	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Complete	Value Completed
1.1	Traffic Control	LS	xxx	xxx	\$ 13,500.00	100%	\$13,500.00
1.2	Construction Staking	LS	xxx	xxx	\$ 13,300.00	100%	\$13,300.00
1.3	Seeding	LS	xxx	xxx	\$ 10,000.00	100%	\$10,000.00
1.4	Erosion Control and Pollution Prevention Plan	LS	xxx	xxx	\$ 2,500.00	100%	\$2,500.00
1.5	Granular Surfacing	Tons	4,000	\$ 20.00	\$ 80,000.00	3,453.38	\$69,067.60
1.6	Pipe Removal	LF	9,125	\$ 1.00	\$ 9,125.00	9,125	\$9,125.00
1.7	Manhole Removal	Ea.	26	\$ 550.00	\$ 14,300.00	26	\$14,300.00
1.8	Rip Rap	Tons	10	\$ 56.00	\$ 560.00	10	\$560.00
1.9	Culverts and Storm Sewer Pipe in Place						
	1.9.1 8" pvc	LF	64	\$ 28.00	\$ 1,792.00	32	\$896.00
	1.9.2 10" pvc	LF	32	\$ 30.00	\$ 960.00	16	\$480.00
	1.9.3 10" CMP	LF	94	\$ 33.00	\$ 3,102.00	47	\$1,551.00
	1.9.4 12" CMP	LF	16	\$ 35.00	\$ 560.00	8	\$280.00
	1.9.5 12" RCP	LF	64	\$ 41.00	\$ 2,624.00	32	\$1,312.00
	1.9.6 18" RCP	LF	32	\$ 48.00	\$ 1,536.00	16	\$768.00
	1.9.7 24" RCP	LF	16	\$ 60.00	\$ 960.00	8	\$480.00
	1.9.8 54" RCP	LF	24	\$ 160.00	\$ 3,840.00	12	\$1,920.00
1.10	Sanitary Sewer Pipe in Place						
	1.10.1 8" pvc	LF	6,318	\$ 66.00	\$ 416,988.00	6,325	\$417,450.00
	1.10.2 10" pvc	LF	2,518	\$ 70.00	\$ 176,260.00	2,518	\$176,260.00
	1.10.3 10" Ductile Iron	LF	20	\$ 109.00	\$ 2,180.00	20	\$2,180.00
1.11	10" Sanitary Sewer Pipe Directional Bored	LF	137	\$ 100.00	\$ 13,700.00	137	\$13,700.00
1.12	6" pvc Sanitary Sewer Service Pipe in Place	LF	1,795	\$ 61.00	\$ 109,495.00	607	\$37,027.00
1.13	Sanitary Manholes	Ea.	35	\$ 2,750.00	\$ 96,250.00	35	\$96,250.00

# BID ITEMS

	Description	Unit	Estimated Quantity	Unit Price	Extended Price	Quantity Complete	Value Completed
1.14	Sanitary Sewer Service Connections	Ea.	107	\$ 300.00	\$ 32,100.00	111	\$33,300.00
1.15	Drop Connection, Interior	Ea.	2	\$ 745.00	\$ 1,490.00	2	\$1,490.00
1.16	PCC Pavement						\$0.00
	1.16.1 7"	SY	751	\$ 59.00	\$ 44,309.00	401.83	\$23,707.97
	1.16.2 8"	SY	316	\$ 63.00	\$ 19,908.00	214	\$13,482.00
1.17	3' PCC Curb and Gutter	LF	258	\$ 29.00	\$ 7,482.00	16	\$464.00
1.18	6" PCC Driveway	SY	182	\$ 50.00	\$ 9,100.00	181.7	\$9,085.00
1.19	4" PCC Sidewalk	SF	19	\$ 7.00	\$ 133.00	19	\$133.00
1.20	Bituminous Seal Coat	SY	8,070	\$ 7.50	\$ 60,525.00	10,761.6	\$80,712.00
1.21	Cured in Place Pipe Lined Sewer						\$0.00
	1.21.1 6"	LF	155	\$ 75.00	\$ 11,625.00	155	\$11,625.00
	1.21.2 8"	LF	376	\$ 46.00	\$ 17,296.00	376	\$17,296.00
1.22	CIPP Sewer Service Connection	Ea.	3	\$ 200.00	\$ 600.00	4	\$800.00
2.1	Traffic Control	LS	xxx	xxx	\$ 2,500.00	100%	\$2,500.00
2.2	Construction Staking	LS	xxx	xxx	\$ 1,000.00	100%	\$1,000.00
2.3	Seeding	LS	xxx	xxx	\$ 1,000.00	0%	\$0.00
2.4	Erosion Control and Pollution Prevention Plan	LS	xxx	xxx	\$ 1,000.00	100%	\$1,000.00
2.5	Granular Surfacing	Tons	50	\$ 22.00	\$ 1,100.00	50	\$1,100.00
2.6	Pipe Removal	LF	190	\$ 2.00	\$ 380.00	0	\$0.00
2.7	Manhole Removal	Ea.	3	\$ 650.00	\$ 1,950.00	3	\$1,950.00
2.8	36" RCP Storm Sewer Pipe in Place	LF	32	\$ 70.00	\$ 2,240.00	0	\$0.00
2.9	12" pvc Sanitary Sewer Pipe in Place	LF	158	\$ 75.00	\$ 11,850.00	0	\$0.00
2.10	6" pvc Sanitary Sewer Service Pipe in Place	LF	9	\$ 67.00	\$ 603.00	0	\$0.00
2.11	Sanitary Manholes	Ea.	3	\$ 3,000.00	\$ 9,000.00	3	\$9,000.00
2.12	Sanitary Sewer Service Connections	Ea.	2	\$ 300.00	\$ 600.00	0	\$0.00
2.13	PCC Curb and Gutter	LF	20	\$ 35.00	\$ 700.00	0	\$0.00
2.14	Bituminous Seal Coat	SY	127	\$ 15.00	\$ 1,905.00	0	\$0.00
2.15	12" Cured in Place Pipe Lined Sewer	LF	201	\$ 55.00	\$ 11,055.00	359	\$19,745.00
2.16	CIPP Sewer Service Connection	Ea.	1	\$ 200.00	\$ 200.00	2	\$400.00
	TOTAL		xxx	xxx	\$ 1,225,183.00		\$1,111,696.57

SUMMARY				
		Contract Price		Value Completed
Original Contract Price		\$1,225,183.00		\$ 1,111,696.57
Approved Change Order (list each)	No. 1	\$111,129.00		\$ 110,321.00
		\$		\$
		\$		\$
Revised Contract Price		\$ 1,336,312.00		\$ 1,222,017.57
Materials Stored				\$ 0.00
Value of Completed Work and Materials Stored				\$ 1,222,017.57
Less Retained Percentage (5%)				\$ 61,100.88
Net Amount Due This Estimate				\$ 1,160,916.69
Less Estimate(s) Previously Approved	No. 1	\$ 167,062.25		
	2	\$ 258,540.57		
	3	\$ 424,695.46		
	4	\$ 116,029.20		
	5	\$ 39,369.90		
	6	\$ 79,576.75		
	7	\$ 55,994.19		
	8	\$		
	9	\$		
Total Previously Approved				\$ 1,141,268.32
Percent Complete	99.7%	Amount Due This Estimate		\$ 19,648.37

The amount \$19,648.37 is recommended for approval for payment in accordance with the terms of the Contract.

<b>Prepared By:</b> Havens Construction Company, Inc.	<b>Recommended By:</b> Veenstra & Kimm, Inc.	<b>Approved By:</b> City of Creston
Signature	Signature <i>[Signature]</i>	Signature
Title	Title <i>Project Engineer</i>	Title
Date	Date <i>9/28/2010</i>	Date

# APPLICATION FOR PAYMENT NO. 3

To: City of Creston (OWNER)  
 From: Betts & Beer Construction, Inc. (CONTRACTOR)  
 Contract: McKinley Park - State of Iowa Safe Room  
 Project: McKinley Park - State of Iowa Safe Room  
 OWNER's Contract No.: \_\_\_\_\_ ENGINEER's Project No.: 8009199  
 For Work Accomplished Through the Date of: Sept. 30, 2010

1. Original Contract Price:	<u>\$223,800</u>
2. Net Change by Change Orders and Written Amendments (+ or -):	<u>1,665.00</u>
3. Current Contract Price (1 plus 2):	<u>225,465.00</u>
4. Total Completed and Stored to Date:	<u>178,770.00</u>
5. Retainage (Per Agreement):	
5% of Completed Work:	<u>8,938.50</u>
0% of Stored Material:	<u>0</u>
Total Retainage:	<u>8,938.50</u>
6. Total Completed and Stored to Date Less Retainage (4 minus 5):	<u>169,831.50</u>
7. Less Previous Application for Payments:	<u>105,745.45</u>
8. <b>DUE THIS APPLICATION (6 MINUS 7)</b>	<u><b>64,086.05</b></u>

Accompanying Documentation:

CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied on account to discharge CONTRACTOR's legitimate obligations incurred in connection with Work covered by prior Applications for Payment numbered -- through -- inclusive; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application of Payment will pass to OWNER at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to OWNER indemnifying OWNER against any such Lien, security interest or encumbrance); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and not defective.

Payment of the above AMOUNT DUE THIS APPLICATION is requested.

Dated: 9/27/10, Betts & Beer Construction, Inc. - Adair, Iowa  
 By: *Douglas J. Morgan* (CONTRACTOR)

Payment of the above AMOUNT DUE THIS APPLICATION is recommended.

Dated: \_\_\_\_\_, Garden & Associates, Ltd. - Oskaloosa, Iowa  
 By: \_\_\_\_\_ (ENGINEER)

Payment of the above AMOUNT DUE THIS APPLICATION is approved.

Dated: \_\_\_\_\_, City of Creston, Iowa  
 By: \_\_\_\_\_ (OWNER)

## Page 2 of 2

Application Number:	2
---------------------	---

Application Date:	9/27/2010
-------------------	-----------

Period to:	9/30/2010
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Architect's Project # 8009199

A	B	C	D	E	F	G	H	I	
Item	Description of Work	Scheduled	Work Completed		Materials	Totals	Percent	Balance	Retainage
No.		Value	From Previous	This Period	Presently	Completed and	(G / C)	to Finish	(G * .05)
			Application		Stored	Stored to Date		(C - G)	
			(D + E)		(Not in	(D + E + F)			
					D or E)				
1	Excavation/Foundation	52545.00	43522.00	3023.00		46545.00	88.58%	6000.00	2327.25
2	Structural Systems	41328.00	23660.00	17668.00		41328.00	100.00%	0.00	2066.40
3	Walls/Ceilings	27781.00	22281.00	5500.00		27781.00	100.00%	0.00	1389.05
4	Roof	17211.00		17211.00		17211.00	100.00%	0.00	860.55
5	Doors/Windows	14574.00	1507.00	12567.00		14074.00	96.57%	500.00	703.70
6	Moisture Protection	13717.00		300.00		300.00	2.19%	13417.00	15.00
7	Toilet/Hand washing facilities	31500.00	18895.00	4997.00		23892.00	75.85%	7608.00	1194.60
8	Ventilation	7500.00				0.00	0.00%	7500.00	0.00
9	Permanent Electrical Lighting	10144.00		5974.00		5974.00	58.89%	4170.00	298.70
10	Emergency Electrical Lighting/Emer. Outlets	7500.00				0.00	0.00%	7500.00	0.00
11	Change Order #1	1665.00		1665.00		1665.00	100.00%	0.00	83.25
								</	

## RESOLUTION NO. ?? – 11

### RESOLUTION TO SPECIAL ASSESS NUISANCE ABATEMENT CHARGES DUE TO NON-PAYMENT BY PROPERTY OWNERS:

**WHEREAS**, the Creston City Council was presented with an estimate and a list of mowing nuisance abatements for the Summer of 2010, and;

**WHEREAS**, the City's Mowing Ordinance is advertised in the local newspaper and posted each season, and;

**WHEREAS**, if the length of vegetation is 12 inches or taller by the 15<sup>th</sup> of each month, May through October, the City may mow said properties and charge the property owners, and;

**WHEREAS**, the City Administrator ordered the nuisances abated, and;

**WHEREAS**, the City Clerk billed the property owners and the City was never paid.

**BE AND IT IS HEREBY RESOLVED** that the Creston City Council approves that the charges shall be collected in the same manner as general property taxes for the properties legally described as –

705 S Park – South 200 feet of Lot 6, Stone and Elliot's 2 <sup>nd</sup> ; Parcel #24010-430-004-00 .....	\$175.00
509 W Levy – Lots 10-11-12, Block 1, Levy's Addition; Parcel #24010-550-008-00 .....	\$250.00
613 W Mills – Lot 43; West Creston, Section A; Parcel #24010-340-048-00 .....	\$175.00
712 W Mills – Lot 77; West Creston, Section A; Parcel #24010-340-081-00 .....	\$175.00
711 N Mulberry – Lot 1, Rose Marie Subdivision of Block 14, McDonald's North, Section C; Parcel #24010-410-115-00 .....	\$137.50
208 N Cedar – Lot 161, McDonald's North, Section B; Parcel #24010-400-059-00 .....	\$175.00
507 S Maple – Lot 273 OP; Parcel #24010-320-238-00 .....	\$175.00

**BE AND IT IS FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to execute the proper documentation necessary.

**BE AND IT IS FURTHER RESOLVED** that any Resolution in conflict herewith is hereby repealed.

**BE AND IT IS FURTHER RESOLVED** that this Resolution be effective immediately upon its passage and approval by the Creston City Council.



# USFS FEDERAL FINANCIAL ASSISTANCE

Provided through the VOLUNTEER FIRE ASSISTANCE (VFA) PROGRAM  
COOPERATIVE FORESTRY ASSISTANCE ACT OF 1978. Distributed through  
agreement with the State Forester of the Iowa DNR Forestry Bureau.

## Volunteer Fire Assistance (VFA)

### APPLICATION

Application Deadline: OCTOBER 15, 2010

**2010**

- Applicant:** \_\_\_\_\_ **Federal Tax ID #** 42-6004446  
 Name of City/Township of Agency: Creston  
 Name of Fire Department: Creston fire dept.  
 Mailing Address: 500 N Sumner Ave  
 City: creston State: IOWA ZIP: 50801
- Estimated TOTAL project cost:** \_\_\_\_\_
- Date of Application:** (Month/Day/Year): 09/30/10 County: Union
- Is the requesting community under 10,000 population? (circle one) Yes No
- Is the local 50% cost share available? (circle one) Yes No
- How many acres of state owned land are you protecting? 3,440 acres
- Is the local agency registered with the State Fire Marshal's office? Yes No
- Has the local agency provided Iowa Wildland Fire Reports during 2009/10? Yes No
- Has the local agency participated in Wildland Fire training? Yes No
- Does the local agency use wildland fire PPE on wildland fires? Yes No
- Is the W-9 Federal Tax ID form attached?** Yes No
- Please list the communities that this department has Mutual Aid agreements with:  
Orient, Afton, Corning, Diagonal, Lenox, Mount Airy, Murray,  
Loomis, Prescott

The applicant certifies, as a condition of this grant application, that no one within their organization will engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with this grant.

The applicant further certifies that to the best of his/her knowledge and belief, the information in this application is true and correct and that he/she will comply with the Cooperative Forestry Assistance Act of 1978 and its administration guidelines if the grant is received.

**Head of Local Government:**  
(or Financial Officer)

Name (please print): Warren Woods  
 Title: Mayor  
 Signature: \_\_\_\_\_  
 Day and Evening Phone: \_\_\_\_\_  
 e-mail Address: \_\_\_\_\_

**Fire Chief:**

Name (please print): Todd Jackson  
 Signature: Todd Jackson  
 Day and Evening Phone: (641) 782-5610 (641) 782-0788  
 e-mail Address: Crestonfire@iowatelecom.net

OVER

## Volunteer Fire Assistance Program — FY2010

All INVOICES must be dated between October 1, 2009 and June 30, 2011.

All BILLING CLAIMS must be received by July 31, 2011

Eligible Cost-Share Items	Quantity	Unit Cost	TOTAL	Official Use	
<b>\$3500 maximum VFA cost-share</b>					
<b>Wildfire Hand and Line Tools</b>					
5 gal. Backpack Bladder Bags	_____	_____		[REDACTED]	
Fire Rake / Collapsible Fire Rake	_____	_____			
Fire swatter, Brush hook, Fire broom	_____	_____	\$ _____		
Shovel, McLeod, Pulaski tool	_____	_____			
Leaf Blowers / Mist Blowers	_____	_____			
Fire weather kit / Kestrel Weather Meters	_____	_____			
Fusees / Drip torch	_____	_____			
GPS Units	_____	_____			
<b>Wildland Fire Protective Clothing</b>					
Shirts/Pants/Coveralls/Brush Coats, Nomex	_____	_____	\$ _____		
Neck Shrouds, Nomex	_____	_____			
Goggles, fire safe	_____	_____			
Gloves, fire safe	_____	_____			
Hardhats, fire safe	_____	_____			
Fire Packs / Radio Harness / Web Gear	_____	_____			
Fire Shelters	_____	_____			
<b>Communications Equipment</b>					
Base Radios	_____	_____	\$ <u>1,500<sup>00</sup></u>		
Hand-held / Programmable Radios	<u>2</u>	<u>750</u>			
Mobile Radios	_____	_____			
Pagers	_____	_____			
<b>Wildland -Water Handling Equipment</b>					
Slide-In Units	_____	_____	\$ _____		
Foam Units, Foam mixers and/or Foam	_____	_____			
Portable Tanks	_____	_____			
Portable Pumps	_____	_____			
Hoses (3/4", 1", 1 1/2")	_____	_____			
Nozzles and Fittings	_____	_____			
(may attach an additional sheet)					
Consideration of Special Request: (No buildings, vehicles, trailers or ATVs)-					
<u>turbo-draft</u>			\$ <u>3,000<sup>00</sup></u>		
How does it apply to Wildland Fire?					
			<b>TOTAL REQUESTED</b>		
			\$ <u>4,500<sup>00</sup></u>		

Return Completed Application to: Gail Kantak, IDNR Fire Supervisor  
 DNR FORESTRY BUREAU 2404 South Duff Ave.  
 By October 15, 2010 Ames, IA 50010-8093

phone: 515-233-8067 or 1161

fax: 515-233-1131

[Gail.Kantak@dnr.iowa.gov](mailto:Gail.Kantak@dnr.iowa.gov)



# CALHOUN-BURNS AND ASSOCIATES, INC.

BRIDGES ♦ STRUCTURES ♦ TRANSPORTATION

September 30, 2010

Kevin Kruse  
Building Official  
Public Works Department  
P.O. Box 449  
Creston, IA 50801

Post-It® Fax Note	7671	Date	9/30/10	# of pages	1
To	KEVIN KRUSE	From	JON CONZETT		
Co./Dept.	CITY OF CRESTON	Co.	CB&A		
Phone #		Phone #	515-224-4344		
Fax #	641-782-6377	Fax #			

RE: PROPOSAL FOR 2011  
BRIDGE INSPECTION PROGRAM

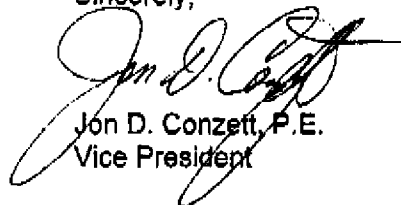
Dear Mr. Kruse:

This proposal for your 2011 bridge inspection program is submitted per our telephone conversation on September 30, 2010. We will inspect the City's six structures while we are performing similar services for Union County and neighboring city and county clients. Our inspection work will be conducted per the Iowa Department of Transportation (DOT) and Federal Highway Administration guidelines.

Our service will include updating the SI&A Sheet data for each of the six structures on the Iowa DOT database prior to the August 31, 2011 deadline. As in the past, we will provide paper copies of our work including the SI&A, photographs further documenting condition, and a completed field inspection form for each structure to you upon completion of our work. We propose to provide these services for a lump sum fee of \$1,200.00.

Please review this proposal and, if acceptable, return one signed and dated copy to me. We will do another good job for you and the City of Creston.

Sincerely,

  
Jon D. Conzett, P.E.  
Vice President

ACCEPTED FOR THE CITY OF CRESTON

Signed: \_\_\_\_\_

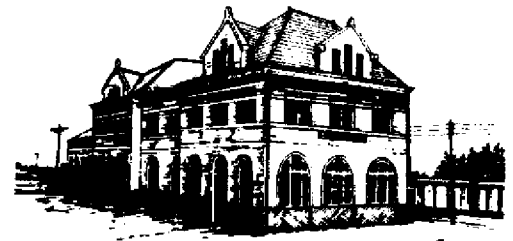
By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

City of  
**CRESTON, IOWA**

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449  
Phone 641-782-2000 • Fax 641-782-6377



*Creston's Restored Depot and City Hall*

**Board of Adjustment  
Meeting Minutes  
September 28, 2010**

Tom Braymen called the meeting to order at 5:05 p.m.

Board members present were Tom Braymen, Gary Bucklin and Ken Stults.


Board member not present was Alan Shafer and Dick Lechtenberger.

Others present; Kevin Kruse; Zoning Administrator.

The item for discussion was a request from Jeff Royster, 404 North Jarvis, to construct a deck with a roof on the front of the house. The reason for the request is for failure to meet front yard setbacks as set forth in Chapter 166 of the Zoning Code. Zoning Administrator Kevin Kruse was present to explain the request for Mr. Royster as he was unable to attend the meeting. The adjacent neighbors were notified by petition with no objections being received. After due consideration Bucklin moved and Stults seconded to approve the request. With a voice vote all present voted in favor of the motion.

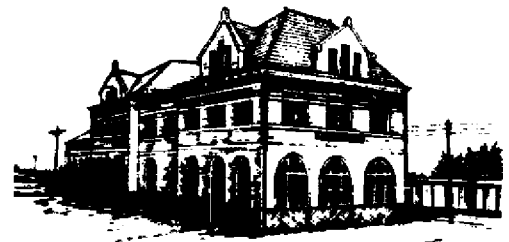
The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Kevin Kruse  
Board Secretary

City of  
**CRESTON, IOWA**

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449  
Phone 641-782-2000 • Fax 641-782-6377



*Creston's Restored Depot and City Hall*

**GRACELAND CEMETERY BOARD MEETING  
GRACELAND CEMETERY CHAPEL  
August 16, 2010  
5:00 P.M.**

The meeting was called to order by Chairperson Sue Bergstrom. Others present were Board members John Coulter and Nadine Scadden, Council Representative Randy White, Superintendent Bruce Hodge and one guest.

Coulter moved seconded by Scadden to approve the agenda. All voted aye. Motion declared carried.

Coulter moved seconded by Scadden to approve minutes of July 19, 2010. All voted aye. Motion declared carried.

Discussion was held on trees – A harvester has been contacted about removing the old pine logs once the trees have been cut down.

Hodge reported that the Street Department will start resurfacing roads within the next two weeks (depending upon weather). Street Department would like them to be graded to at least nine feet wide, as layer is 10 feet wide. Some places are only seven feet wide, but Hodge thinks they can be paved.

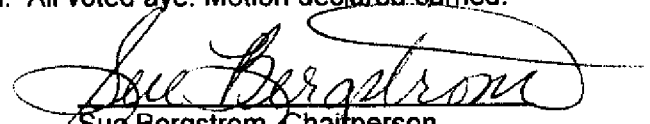
Council is looking at a new Ford F250 ¾ Ton 4x4 pickup for the Cemetery Superintendent. They have a low bid from Creston Automotive of \$21,179.50 with trade on old pickup of \$2,500.00, for a total bid of \$18,679.50. They are also looking at a V-blade snow plow for better snow removal during the winter. Estimated cost on the plow is \$4,800.00.

Under Other –

Council Representative White reported that 24D for weed control has been donated by an anonymous donor.

Coulter moved seconded by Scadden to adjourn. All voted aye. Motion declared carried.

  
Attest, John Coulter, Secretary

  
Sue Bergstrom, Chairperson

**Minutes of Gibson Memorial Library Board of Trustees  
Monday, July 12, 2010 – at Gibson Memorial Library, Creston, IA**

**Chairperson Ann Coulter called meeting to order at 5:00 p.m.**

**Roll Call:** Ann Coulter, Ed Ritter, Karin Coleman. Also present: Marilyn Ralls, Librarian.

**Consideration of Agenda:**

Ed Ritter moved to accept the agenda; Karin Coleman seconded the motion. Motion passed.

After reviewing minutes from the June 7, 2010 meeting, Karin Coleman moved to approve the minutes with two corrections. One correction amended the statement under Old Business of "They were requesting a Teen Room in the new facility and Ann informed them the plan was already made for the room." And was replaced with "They were requesting a Teen Room in the new facility and Ann informed them the plan already includes a teen area and suggestions for the area are welcome." The other correction changed the next meeting date from June 7<sup>th</sup> to July 12<sup>th</sup>. Ed Ritter seconded the motion and the motion was approved.

**Fundraiser:** Darcy Johnson of Arispe presented information to the board regarding fundraising through Shaklee, an eco-friendly household product company.

**Approval of Bills:** Per the board's instruction, Marilyn paid bills the previous week.

**Director's Report:** Marilyn reported that visits were down for adults, but were up for children. They've been having a lot of participation in the Summer Reading program activities and look to distribute prizes including Creston pool tickets, Blank Park Zoo tickets, and certificates for ISSB prizes. Donna and Sue gave very positive interviews for the Creston News Advertiser highlighting the success of the summer programs. They've worked through various staff vacations. Marilyn also reported that they've had several 200+ days.

**Old Business:** Building relocation - Board agreed that any fundraising or additional planning is on hold until loan/grant approval from USDA. Ann agreed that she would continue to compile the promotional materials, but will wait to proceed with any action.

Marilyn and Ann meet with East students. The students have three ideas for pocket park. They are working with an architect from ISU and will continue developing plans at a two-week ISU camp. Ann did caution the students to keep in mind liability and feasibility issues.

**New Business:** Marilyn reported that the Union County Genealogy Society requested use of the meeting room at the library on a regular basis and always during regular business hours. The board agreed with Marilyn that this was a reasonable request and that the Society satisfies the non-profit criteria in the meeting room policy.

Review of the Confidentiality of Library Records policy was held over to the next meeting.

Meeting was adjourned at 6:00 p.m.

**Next meeting will be Monday, August 2<sup>nd</sup>, 2010, at 5 p.m. at the Library.**

Minutes respectfully submitted by Karin Coleman.



**Park and Recreation Board  
Meeting Minutes  
Tuesday, September 28, 2010**

The Park and Recreation Board met in regular sessions.  
Attending were:

John Kawa  
Jane Brown  
Gary Borcharding

Mark Huff  
Jamie Beggs  
Birdie Sandeman

The Board approved the minutes of the August 29, 2010 and September 13, 2010 meetings.

Motion-- Kawa  
Second-- Brown  
All voted aye. Motion carried.

The Board approved the payment of 1,012.10 to Pine Valley Golf from the Mckinnley Park Restricted Gift Fund.

Motion -- Borcharding  
Second -- Brown.  
All voted aye. Motion carried.

The Board recommended that Mckinnley Park Pay application #3 to Betts and Beer in the amount of 64,086.05 be approved.

Motion -- Kawa  
Second -- Brown  
All voted aye. Motion carried.

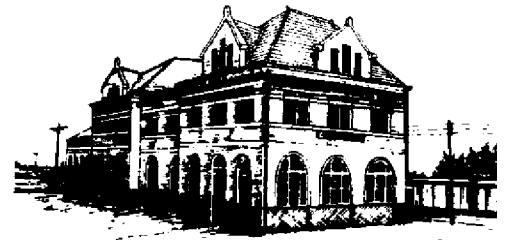
The Board reviewed claims/payments through September 22, 2010.

The Board reviewed the Project and Budget/Equipments Lists for upcoming months and FY 2011/2012.

The next meeting is scheduled for Tuesday October 26, 2010 at 5:30 pm in the Mealsite at the Restored Depot.

*City of*  
**CRESTON, IOWA**

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449  
Phone 641-782-2000 • Fax 641-782-6377



*Creston's Restored Depot and City Hall*

**PARK & RECREATION BOARD**


**MEETING MINUTES**

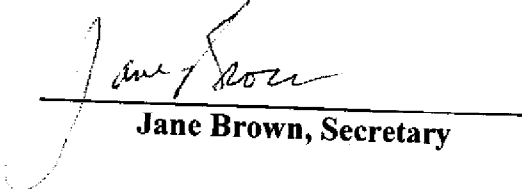
**MONDAY, SEPTEMBER 13, 2010**

The Park and Recreation Board met at 9:00 a.m. by teleconference to approve the payment of \$62,607.85 to Betts and Beer Construction for the work associated with the McKinley Park Restroom.

Motion - Kawa  
Second - Brown  
All voted aye. Motion carried.

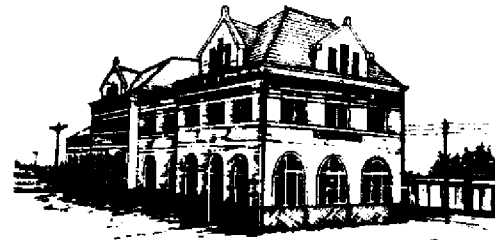
The meeting adjourned at 9:05 a.m.

  
John Kawa, Chairman

  
Jane Brown, Secretary

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**PARK & RECREATION BOARD**

**MEETING MINUTES**

**TUESDAY, AUGUST 24, 2010**

**The Park and Recreation Board met in regular session. Attending were:**

<b>John Kawa</b>	<b>Mark Huff</b>	<b>Rich Paulsen</b>
<b>Jane Brown</b>	<b>Jamie Beggs</b>	<b>Birdie Sandeman</b>
<b>Gary Borcharding</b>	<b>Don Mosman</b>	<b>Jim Street</b>

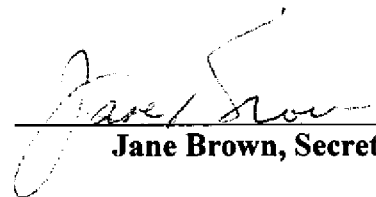
**The Board approved the minutes of the August 17, 2010 meeting.**

**Motion - Kawa**  
**Second - Brown**  
**All voted aye. Motion carried.**

**The Board finalized plans for the Golf Tournament.**

**The meeting adjourned at 6:00 p.m.**

  
\_\_\_\_\_  
**John Kawa, Chairman**

  
\_\_\_\_\_  
**Jane Brown, Secretary**